

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

KYLE M. PARKS,

Plaintiff,

v.

JAREN QUEEN, et al.,

Defendants.

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No. 4:20-CV-1286 PLC

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff Kyle Parks’ motion to reopen this closed case and file an amended complaint. This matter, brought pursuant to 42 U.S.C. § 1983, was dismissed on May 28, 2021, as barred by *Heck v. Humphrey*.<sup>1</sup> Plaintiff asserts that he is entitled to reopen the present matter because he has evidence of “law enforcement misconduct” relating to his federal conviction in *United States v. Parks*, No. 4:15CR000553 JAR (E.D.Mo.).

Plaintiff has attempted to attack his federal conviction through 42 U.S.C. § 1983 on eight separate occasions in this Court. Additionally, he has collaterally attacked his conviction through 28 U.S.C. § 2255 on two separate occasions, as well as through several post-dismissal motions. Plaintiff has also filed so many frivolous motions in his criminal case that he is now a banned filer. Nonetheless, Plaintiff’s criminal conviction has not been overturned. Thus, he cannot collaterally attack his conviction through a § 1983 action that seeks damages. Additionally, because this case has been closed for over three years, the Court will not allow Plaintiff to reopen the present matter.

Accordingly,

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<sup>1</sup> 512 U.S. 477 (1994) (finding that a prisoner cannot recover damages in a § 1983 action where the judgment would necessarily imply the invalidity of his criminal conviction, continued imprisonment, or sentence unless the conviction or sentence had been reversed, expunged, or called into question by the issuance of a writ of habeas corpus).

**IT IS HEREBY ORDERED** that Plaintiff's motion to reopen the present matter and amend his complaint [ECF No. 11] is **DENIED**.

**IT IS FURTHER ORDERED** that an appeal of this Order would not be taken in good faith.

**IT IS FURTHER ORDERED** that the Clerk shall not accept any additional filings in this case unless they relate to an appeal.



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PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 13th day of January, 2025